

**UNITED STATES PATENT & TRADEMARK OFFICE**

Re: Application of: David MORTON, et al.

Serial No.: To Be Assigned

Filed: Herewith as national phase of International Application  
No. PCT/GB2004/003996, filed September 15, 2004

For: **DRY POWDER COMPOSITION COMPRISING  
CO-JET MILLED PARTICLES FOR PULMONARY  
INHALATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

March 9, 2006

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with the provisions of 37 C.F.R. § 1.97, Applicant hereby makes of record the documents listed on the accompanying Form PTO-1449 (1 sheet) for consideration by the Examiner in connection with the examination of the above-identified patent application.

In accordance with 37 C.F.R. § 1.98(a)(2), copies of the foreign patents listed on the enclosed Form PTO-1449 are enclosed. If it is determined that any of these references are not enclosed, the Examiner is requested to contact the undersigned so that a copy can be provided.

Pursuant to the waiver of the requirement under 37 C.F.R. § 1.98(a)(2)(ii), a copy of the cited U.S. patent is not enclosed.

The Examiner's attention is directed to references on sheet 1 of the enclosed Form PTO-1449, which were cited in the International Search Report issued in connection with International Application No. PCT/GB2004/003996. A copy of the International Search Report is enclosed as Appendix A.

This Information Disclosure Statement is filed under 37 C.F.R. §1.97 (b), before the mailing of a first Office Action on the merits. Accordingly, it is believed that no fee is due. In the event any additional fee is due in connection with the filing of this Information Disclosure Statement, the Commissioner is hereby authorized to charge said deficiency to our Deposit Account No. 50-0552.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: \_\_\_\_\_

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FORM PTO-1449 (REV. 7-80)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO.: 478.1075US		SERIAL NO.: <b>10/571146</b> <small>To Be Assigned</small>	
<b>LIST OF PRIOR ART CITED BY APPLICANT</b>				APPLICANT(S): David MORTON, et al.			
(Use several sheets if necessary)				FILING DATE: Herewith		GROUP: To Be Assigned	

  

U.S. PATENT DOCUMENTS													
*EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4	8	9	5	7	2	6	01/23/1990	Curtet, et al.	424	456	
	AB												
	AC												

  

FOREIGN PATENT DOCUMENTS															
		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION		
														YES	NO
	AD	10	0	6	1	9	3	2	10/24/2002	DE (Germany)	A61K	9/16	Abstract		
	AE	02	0	0	0	1	9	7	01/03/2002	WO	A61K	9/14			
	AF	1	0	4	8	2	9	5	11/02/2000	EP	A61K	31/216			
	AG	01	0	8	9	4	9	2	11/29/2001	WO	A61K	9/72			
	AH	04	0	8	9	3	7	4	10/21/2004	WO	A61K	31/473			
	AI	04	0	9	3	8	4	8	11/04/2004	WO	A61K	9/16			

  

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)		
	AJ	
	AK	
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	AM	
	AN	
	AO	
	AP	

  

EXAMINER	DATE CONSIDERED
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.